

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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In re:

T H AGRIGULTURE & NUTRITION, L.L.C.

Case No. 09 Civ. 6432 (WHP)

Debtor.

ORDER DISMISSING APPEAL OF THE WATERS & KRAUS CLAIMANTS
PURSUANT TO MOTION OF THE APPELLANT

On motion of certain claimants represented by Waters & Kraus LLP (the “Waters & Kraus Claimants”), appellant in the above-entitled proceeding, due notice of said motion having been given on October 8, 2009, to counsel for T.H. Agriculture & Nutrition, L.L.C. (the “Debtor”), the Debtor’s parent, Phillips Electronics North American Corporation (“PENAC”), the Unsecured Creditors Committee (the “UCC”), and the Future Claims Representative (the “FCR”), the other parties in the proceeding; and the court being fully advised;

IT IS ORDERED that the appeal in the above-entitled proceeding be, and the same hereby is, dismissed without prejudice, pursuant to the provisions of Rule 8001(c) of the Federal Rules of Bankruptcy Procedure.

Dated: October 23, 2009.


WILLIAM H. PAULEY III, U.S.D.J.